



November 4th, 2020

The Honorable Andrew Wheeler
EPA Administrator
U.S. Environmental Protection Agency
1200 Pennsylvania Avenue, NW
Washington, DC 20460

Administrator Wheeler,

This letter serves as a request by the National Association of State Departments of Agriculture (NASDA) for the Environmental Protection Agency (EPA) to create a national threshold for Perfluoroalkyl and polyfluoroalkyl substances (PFAS). In addition, we are respectfully asking our federal regulatory partners to make financial support available for agricultural producers that have been seriously impacted by PFAS contamination.

NASDA represents the states in their expressed concern over the lack of rapid federal response regarding PFAS. NASDA acknowledges the 2019 EPA Action Plan and the \$4.8 million that was promised to research PFAS in rural communities and agriculture operations. Though research is critical to the development of effective regulation, NASDA voices concern for states with diversified agriculture industries struggling to handle the costly and prolonged impacts of PFAS that they are facing currently.

We understand that FDA, EPA and USDA have an interdisciplinary team that is evaluating this issue. In past events, such as melamine in livestock feed, the agencies were able to quickly establish safe thresholds so that we could ensure the safety of the food supply in a uniform manner. NASDA believes that such an effort is possible – and needed – related to PFAS.

The intersection between PFAS and agriculture is a growing issue and the impacts to agriculture may be great. Uncertainty in the regulatory arena often leads to consumer confusion, potential industry liability, and a patchwork of differing state responses and standards. There currently is an uncertain path forward to determine methods to mitigate contaminated resources. We have been informed that retail grocery chains will stop sourcing food from affected areas if the foods

show any detectable levels of these compounds. This can have a major impact on agriculture across the country.

With the lack of federal PFAS standards relating to the food supply other than some guidance on packaging and limited research on PFAS in food, states are finding it difficult to provide clear or standardized answers to food-related questions from the public, regulators, public health professionals, educators, and the food industry. NASDA requests the agencies expedite the process to establish a solid path forward. This path should include federal leadership in developing a cohesive framework to determine regulatory thresholds for natural resource protection, food safety, laboratory testing procedures and enforcement action. States need strong, reliable, uniform, science-based information as the nation and world deal with these emerging contaminants.

It must be stressed that the farmers also need assistance, now. Several farms across the country with confirmed PFAS contamination face financial ruin, their crops and products unable to be sold safely, their land now worthless. By no fault of their own, PFAS has ceased their operations, likely permanently. These current and future farms and farm families need robust and prolonged federal financial support.

NASDA implores our federal regulatory partners to create a national guideline and offer a funding method to relieve those affected. We stand ready to assist EPA in this endeavor so please contact Zach Gihorski (zach.gihorski@nasda.org) for further information. Thank you for considering our request.

Sincerely,



Barbara P. Glenn, Ph.D.
Chief Executive Officer

cc.

The Honorable Sonny Perdue, Secretary, U. S. Department of Agriculture

The Honorable Stephen Hahn, Commissioner, U. S. Food & Drug Administration